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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/658,795	09/11/2000	Charles A. Lemaire	750.006US1	4145

21186 7590 10/13/2005

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EXAMINER

PARDO, THUY N

ART UNIT PAPER NUMBER

2165

DATE MAILED: 10/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/658,795

Applicant(s)

LEMAIRE ET AL.

Examiner

Thuy Pardo

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 10-16 and 18-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-16, 18-21 and 24-27 is/are rejected.
- 7) ☒ Claim(s) 22, 23 and 28-34 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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Art Unit: 2165

### **DETAILED ACTION**

1. Applicant's Amendment on July 21, 2005 in response to Examiner's Office Action has been reviewed.
2. Claims 10-16 and 18-34 are presented for examination.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 10-16 and 18-21 and 24-27 are rejected under 35 U.S.C. § 102(e) as being anticipated by Anderson et al. (Hereinafter "Anderson") U.S. Patent Application No. 2004/0158524.

As to claim 10, Anderson teaches the invention substantially as claimed, comprising:

receiving a plurality of transactions for the database system including a first transaction from a service provider 0026] and a second transaction from a service consumer [0033], wherein the first and the second transactions are each associated with the service consumer [ab; 0003].

storing the plurality of transactions into the database system [database server 36 of fig. 1];

selectively enabling access by the service consumer [customer can review transactions or wish to submit payments electronically, 0004-0005; 0033], based on an identification of the service consumer [account # and authorization code, 92 of fig. 4; 0016], to the stored first and second transactions associated with the service consumer to whom access is enabled [stored in database server 36 of fig. 1]; and

accessing the stored first and second transactions associated with the service consumer to whom access is enabled, the accessing being performed by the service consumer to whom access is enabled [customer can review transactions or wish to submit payments electronically, 0004-0005; 0033].

As to claim 11, Anderson teaches the invention substantially as claimed. Anderson further teaches receiving transactions by a docketing provider [ab].

As to claim 12, Anderson teaches the invention substantially as claimed. Anderson further teaches viewing a log of pending action items [0003-0006].

As to claim 13, Anderson teaches the invention substantially as claimed. Anderson further teaches that the service consumer uses a browser to access the stored transactions [0003-0006].

Art Unit: 2165

As to claim 14, all limitations of this claim have been addressed in the analysis of claim 10 above, and this claim is rejected on that basis.

As to claim 15, all limitations of this claim have been addressed in the analysis of claim 11 above, and this claim is rejected on that basis.

As to claim 16, Anderson teaches the invention substantially as claimed. Anderson further teaches that the transaction is associated with a service matter [credit and debit card transactions, 0006].

As to claims 18-21, it is corresponding apparatus claims of claims 10-16 above; therefore, they are rejected under the same rationale.

As to claim 23, Anderson teaches the invention substantially as claimed. Anderson further teaches an input device that obtains a database transaction [inherent in the system]; an encoder that inserts the transaction into an electronic message [90-94 of fig. 4].

As to claim 24, Anderson teaches the invention substantially as claimed. Anderson further teaches a database stored in the storage, the database holding data for a plurality of service consumers including the first service consumer and for the first service provider [48, 50, 52 of fig. 2]; and a database transaction processor operatively coupled to the receiver of database transaction information and to the storage [database servers, 36 of fig. 1].

As to claims 25-27, all limitations of these claims have been addressed in the analysis of claims 11-13 above, and these claims are rejected on that basis.

***Allowable Subject Matter***

4. Claims 22, 23 and 28-34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claims 22, 28 and 30, the features of receiving an electronic message and decoding the transaction from the electronic message, taken together with other limitations of claims 10, 18, or 18 and 24 were not disclosed by the prior art of record.

As to claim 31, the features of receiving a database transaction; encoding the transaction into an electronic message; and transmitting the electronic message, taken together with other limitations of claims 18 and was not disclosed by the prior art of record.

Claims 23, 29 and 32-34 being further limiting to claims 22, 28 and 31 are also objected to.

***Response to Arguments***

5. Applicant argues that Anderson fails to teach transactions between the service provider and the service consumer. Examiner respectfully disagrees. Anderson teaches receiving transactions from a financial services provider [0026] and transactions from the service

Art Unit: 2165

consumer/customer [customer can review transactions or wish to submit payments electronically, ab; 0003-0005; 0033]. Applicant argues that the term "transaction" in the application is different to the term "transaction" in Anderson. As to this point, Examiner respectfully disagrees.

Transactions in Anderson includes financial transactions and reports for user's current month's statement received in electronic mail [fig. 5; 0032] as same as the definition of the term "transaction" in the Specification of the Application in which a database transaction is an action object that is transmitted as electronic mails between source and destinations [see page 13, lines 2-21]. Furthermore, the features of an e-mail including the transaction object and extracting a database transaction from an electronic mail have not been disclosed in the independent claims.

6. Applicant's arguments filed July 22, 2005 have been fully considered but they are not persuasive.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

Art Unit: 2165

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo, whose telephone number is 571-272-4082. The examiner can normally be reached Monday through Thursday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached at 571-272-4146.

The fax phone number for the organization where this application or proceeding is assigned as follows:

571-273-8300 (Official Communication)

and/or:

571-273-4082 (*Use this Fax#, only after approval by Examiner, for "INFORMAL" or "Draft" communication. Examiner may request that a formal/amendment be faxed directly to then on occasions*).

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks



Art Unit: 2165

Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**

(703) 308-5359, (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington VA., Sixth Floor (Receptionist).

October 12, 2005

A handwritten signature in black ink, appearing to be 'Thuy N. Pardo', with a stylized, cursive-like script.

**THUY N. PARDO  
PRIMARY EXAMINER**